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SUBJECT: NIGERIA: AMBASSADOR AND HOUSE SPEAKER DISCUSS
ELECTORAL REFORM, EFCC, YAR,ADUA, EKITI POLITICS

REF: A. LAGOS 213 AND PREVIOUS

[1](#)B. ABUJA 716

[1](#)C. 08 ABUJA 2406

[1](#)D. 08 ABUJA 2521

Classified By: Ambassador Robin R. Sanders for reasons 1.4 (b) and (d)

[1](#)1. (C) Summary: Ambassador met one-on-one evening May 5 with National Assembly Speaker Dimeji Bankole to discuss issues important to U.S.-Nigeria bilateral relations ranging from electoral reform, governance, and anti-corruption, and the seemingly slow progress of President Yar'Adua on all these issues. The Speaker, known for his gregariousness, reportedly has become a confidant of Yar'Adua, according to some Mission sources (see septel). More importantly, however, it is rumored that the Speaker personally will be the driving force behind how and what gets passed in the Nigerian House of Representatives on electoral reform. Bankole confirmed that the GON executive branch had not yet sent forward a draft electoral reform bill despite press reports to the contrary; that he had no confidence in the EFCC or chairwoman Waziri, noting that the institution was not worth "one penny;" and election reform was not possible until there was more democracy at the political party level. On Yar'Adua, responding to Ambassador's query about why more progress had not been made on anti-corruption and governance, Bankole said the President "was trapped" as he inherited people based on commitments made by his predecessor former President Obasanjo and was beholden to some of his campaign's financial supporters, such as ex-Governor Ibori. Without being explicit, Bankole clearly implied that the biggest challenge Yar'Adua had been trying to work around was "one particular senior Minister whose position was more commonly referred to with initials" (read A.G., or Attorney General Michael Aondoakaa). Bankole himself has had mixed reviews as Speaker and has had his share of rumors about his abuse of power, using Assembly resources to buy new cars for committee chairmen, and criticized for too much travel abroad. It remains to be seen how he will manage the key electoral reform process. Bankole claims that he is taking this seriously, wants this to be his legacy, and is open to suggestions from civil society and other input on electoral reform besides the election reform committee (ERC) report or Council of State (the GON senior advisory body) version of the ERC recommendations. A lot rests on what the National Assembly does on election reform, and thus far they have

little to show since 2007 on any meaningful legislation passed to date. End Summary.

12. (C) On May 5, the Ambassador had an opportunity to have a 2-hour one-on-one session with the Government of Nigeria, (GON) sometimes elusive, but certainly ego-driven Speaker of the Nigerian House of Representatives Dimeji Bankole. Bankole, who is a Yoruba from the southwestern state of Ogun, reportedly has grown closer to President Yar'Adua, according to some U.S. Mission sources, and is one of the few people outside of the President's state of Katsina who have ready access to the President (see septel further on this issue). Ambassador asked for the meeting to take advantage of Bankole's reportedly closer position to the President to discuss some key issues of USG concern, particularly the electoral reform process; the GON's ongoing sensitivity over our differences on the EFCC, its leadership and the effect on the broader bilateral relationship; and, the rumored PDP machinations in the recently concluded controversial elections in Ekiti State. Ambassador also raised the shroud that Yar'Adua has seemingly built around himself with limited access to him other than for a small group from his home state of Katsina (known as the Katsina Mafia), also noting that she understood the Speaker, of late, was now one of his confidants. The discussion began with election reform.

Electoral Reform: An Uphill Battle:

13. (C) Ambassador began the conversation by asking Bankole how he planned to handle the election reform process and whether the Assembly had actually received the executive

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branch's reform bills which were touted in the press as having been forwarded to the legislature. Bankole admitted the bills had not come forward yet, but he was expecting to receive them by the end of the week. He added that he was concerned about the process and planned to personally spearhead the House of Representative's activities on the issue so that they are done in an open and transparent manner, including taking recommendations on reform steps from outside entities such as civil society. Stating that good electoral reform was a legacy he could leave as part of his contribution to Nigeria's democracy, Bankole commented that he was "not wedded to either the electoral reform committee recommendations (ERC report, also called the Uwais report after the chairman of the group), nor the executive branch's version." (Note: The GON executive branch version is a document that was passed by the Council of State or COS, which is an advisory body primarily made up of Governors, former Heads of State, current and former Chief Justices, etc. End note).

14. (C) Ambassador then asked Bankole about his views of the ERC recommendations and the COS document. The Speaker lamented that he did not think that either document was comprehensive enough or really addressed the crux of the problem in Nigeria's troubled election process. In his view, the main problem was not the Independent National Electoral Commission (INEC), which the international community and civil society was focused on, but the political party and local government processes. "Without improving the political party process, making it more democratic and transparent void of patronage and godfathers, then it is irrelevant whether the INEC chairman is appointed directly by the President or by the ERC-recommended National Judicial Council (NJC)," he stated. "Political party delegates and local government chairmen do not represent the voter. Until this is changed legislatively, making INEC or some other legislated entity responsible for a more democratic processes at the party and local levels, with punitive authority then nothing in Nigeria will change." Bankole concluded. The Speaker also claimed that the President, at the last COS discussion on the ERC recommendations, stated that he had no problem ceding the INEC appointing authority to the NJC, and very much wanted to abolish the state level INECs, but the governors all pushed

back, knowing this would reduce their control over resources and vote rigging.

15. (C) Turning to the judiciary, Bankole was highly critical of its role in the electoral process. In the Speaker's view, the judiciary had over-stepped its bounds in most of the rerun gubernatorial elections, and had "tasted blood," with its new found power to influence state elections and power politics in Nigeria. Bankole claimed that he had proof that most of the judges had lined their pockets throughout the entire process of rerunning state elections, including the Supreme Court decision on President Yar'Adua case in November 2008. Thus, the Speaker continued, this was why he did not support the NJC appointing the INEC chairman as he had no faith in the transparency of the judiciary. On his point of being receptive to other inputs on electoral reform, Bankole said he welcomed comments by other actors, including civil society. Ambassador asked if he had met with civil society to hear their views; he said no. Continuing, the Speaker said he did not believe that Nigerian civil society organizations (CSOs) had played their proper transparent role in Nigeria, including in the 2007 election, and saw most CSOs as self-serving, biased, and ineffective. The Ambassador disagreed, noting that the donor community, including the USG through USAID, had worked closely with CSOs in 2007 and were beginning efforts now to engage them on voter awareness and outreach -- noting the three CSO fora that had been conducted thus far, including the USAID-funded program with NDI and IRI. She added that she found the CSOs open for training and very much seized with the electoral reform issue, offering her good offices for the Speaker to meet with the CSOs the USG had been working with in the upcoming forum she was hosting in May. Bankole agreed to the offer adding he would welcome the opportunity to interact in

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a constructive manner.

EFCC: Getting Past Our Different Views for the Greater Good

16. (C) Turning the conversation to the other main bilateral issue, the Ambassador noted the USG concern over what seemed to be constant harping on our position on Economic and Financial Crimes Commission (EFCC) Chairwoman Waziri. She explained that we had little confidence in her leadership, her independence, her transparency, and in her ability to lead Nigeria's anti-corruption fight. In addition to these concerns, the EFCC under her leadership had redeployed many of the previously USG-trained EFCC officials back to other departments; we believed this decimated the organization and made us reluctant to provide any more funding in this regard. On top of this, there seemed to be a never-ending attempt to use the EFCC and Mrs. Waziri's personal views as a way to cloud other productive things in the bilateral relationship. Friendly countries like Nigeria and the U.S. must remain strong partners even when we disagree, and we disagree right now over support to the EFCC, she summarized. Changing his entire body posture, Bankole remarked about his disregard for Waziri and the EFCC. Noting that he did not think the EFCC was worth "one penny" and that he had no confidence in it or Mrs. Waziri's leadership or her integrity, the Speaker added that he did not believe the EFCC could be an effective institution under her leadership. In addition to Waziri going after him, Bankole claimed on a trumped issue surrounding the purchase of cars for House Committee Chairmen, the Speaker said that Waziri's husband wanted to become deputy speaker of the House of Assembly. Thus, she had cut a deal with the governor of her home state of Gombe to make this happen by trying to get Bankole removed from the Speakership on the car issue, opening up the opportunity for a new speaker and new deputy speaker. Ambassador remarked that that it was refreshing to hear finally someone in the GON being honest about Waziri's lack of bonafides. Bankole continued, however, that there was still concern that the U.S.'s primary goal was to try to return former EFCC Chairman Ribadu to the Commission, and that the latter had free access

at any time to U.S. officials in Washington -- allowing for the failing of the U.S. to listen to the GON's views. He faulted Ribadu also on not delivering on high profile cases when he was Chairman. Ambassador granted that early on when Ribadu was first removed that was very much the view; however, we have since moved on, stressed institution building, and explained to Waziri that we would need to see high level results before we would consider restarting our training. She has not delivered. Further on Ribadu, Ambassador added that he was a free person and had the right to meet and speak to any group or individual in the U.S. Bankole then queried for examples of what we would want to see the EFCC do more on. Ambassador ran through the list of ex-governors' cases, particularly former Delta State Governor James Ibori, where we wanted to see more progress leading to their prosecutions. Bankole said the EFCC would not move on Ibori given his past financial support to Yar'Adua's campaign and Ibori's relationship to Attorney General (AG) Michael Aondoakaa, implying also that Waziri was very much under the control of the AG.

Yar,Adua and the AG:

17. (C) Given that Bankole opened the door, by implication, on the Attorney General, the Ambassador highlighted the other main USG concern: that not much progress had been made on democracy and transparency in government. The Speaker agreed. He said that the President had wanted to do a lot of things but had inherited a structure of patronage that he has thus far been unable to overcome. This included having to keep certain ministers who were less than transparent, including one "more commonly referred to by the position's initials," he said pointedly, seemingly to ensure that it was not missed that he was referring to the A.G. or Attorney General. Taking the queue and implication on board, the Ambassador asked what this particular Minister had on the President. Bankole said without hesitation he was the money

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conduit from Ibori to the judiciary as regards to the President's Supreme Court case. So for the moment, he is untouchable, the Speaker stated, until such time as a way can be found to slowly move him out, which for now seems unlikely. The Ambassador said that despite this, Yar'Adua is still the President and still has presidential prerogative which he could use. Bankole simply said Nigeria does not work like this.

Ekiti Elections:

18. (C) Given that Bankole is from the southwest, and Ambassador had noted his election campaigning in the paper for embattled PDP governor Oni (press reported May 6 that the local regional INEC declared Oni the winner), she raised the contentious and sometimes violent atmospherics surrounding the rerun of the Ekiti gubernatorial race including the accusations of PDP malfeasance in the process (see Ref A and previous). The Speaker claimed that the Action Congress (AC) was equally as bad in trying to manipulate the process, but he also felt that the public, particularly civil society and the West, stood more ready to accuse the ruling PDP than the AC. He also stated that others like former President Obasanjo (OBJ) were involved in trying to manipulate the process. Bankole claims that it was OBJ who called the local regional INEC chairwoman and told her to resign her post (we do not know if this is true and had not heard this before). The Speaker continued that the entire Ekiti issue went back to his earlier point about no transparency in party politics and in local area governments, restating that until this happens, using legislative means to do so, then the role and influence of INEC and its subsidiaries can always be used by any big man politician.

19. (C) Comment: Somewhere in Bankole's series of remarks there are probably threads of truth. Certainly it was refreshing to hear more honest comments about the puppet role

of EFCC Chairwoman Waziri. However, clearly Bankole has a personal beef with her as he felt that an early move by the EFCC on him, which fizzled out, was driven more by motives to support her husband's political aspirations than facts. His insights on the AG's hold on Yar'Adua are helpful. The Mission was always aware that Yar'Adua would not touch him, but also did not believe that the President was unaware of the AG's corruption. Evidently not only is he aware, but also had to use the AG as the avenue to secure the Supreme Court decision, if Bankole's comments are at all true. We had also heard during the entire Supreme Court process on the Yar'Adua case (Ref d) that the judges had been heavily influenced and paid off. All and all Nigeria's electoral reform process is off to a very rocky start. The question is whether Bankole will live up to his claim of wanting to leave a legacy of having done the right things to improve the country's election process. He said he was serious about electoral reform, that he wants to not only hear from civil society but also would accept its proposal for electoral change if submitted in an organized and serious fashion. We will provide a good offices opportunity for him to begin the dialogue and open the door with the CSOs at the Mission-hosted forum on May 19. This will let us know just how serious and committed he is to true electoral reform in Nigeria. End comment.

SANDERS